

penalties for violating same; authorizing the Commission to enjoin violations of its rules, regulations and orders; providing for receiverships under certain conditions herein set forth for violation of the Commission's orders; providing that this act shall be cumulative of all laws not inconsistent herewith relative to crude petroleum oil and natural gas; providing that if any part of this act be held unconstitutional, such holding shall not affect the remainder of this act, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

JUSTISS, Chairman.

THIRTEENTH DAY.

(Continued.)

(Friday, August 7, 1931.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Minor.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Morse and Mr. McCombs:

H. B. No. 54, A bill to be entitled "An Act to apportion the State of Texas into Representative Districts, to fix the number of Representatives thereof; to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Congressional Districts.

By Mr. Metcalfe, Mr. Johnson of Dimmit, Mr. Finn, Mr. Mathis, and Mr. Murphy:

H. B. No. 55, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, naming the counties composing the same, and providing for the election of a member of the Congress of the United States from each district; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Congressional Redistricting.

By Mr. Coombes and Mr. Savage:

H. B. No. 56, A bill to be entitled

"An Act to apportion the State of Texas into Representative districts; to fix the number of Representatives thereof; to repeal all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Congressional Redistricting.

By Mr. Laird:

H. B. No. 57, A bill to be entitled "An Act to conserve the wild deer of Tyler county by making it lawful to hunt wild deer with one dog in the county of Tyler, Texas, during the open season of each year for a period of five years, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Keller and Mr. McCombs:

H. B. No. 58, A bill to be entitled "An Act amending Article 4553 of Chapter 10, commonly known and designated as the Optometry Bill, so as to provide for a State Board of Examiners in Optometry composed of six members and providing their necessary qualifications, and amending Article 4554 of said chapter so as to provide the terms of office of said members of said board and to repeal all laws in conflict therewith, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Richardson:

H. B. No. 59, A bill to be entitled "An Act providing for the termination of all mineral lease contracts in Texas at the expiration of five years between land owners and persons, firms and corporations, for the purpose of extracting any of the minerals that may be stored under the surface of the soil in this State, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Morse:

H. B. No. 60, A bill to be entitled "An Act to amend House bill No. 312, known as the Bond and Warrant Law of 1931, passed by the Forty-second Legislature at the Regular Session thereof by adding thereto a new section to be designated as Section 11a, providing that nothing contained in said act shall be construed as requiring any city to give any notice as a condition precedent to issuing warrants payable out of current funds of

such city, and the issuance of any such warrants by any such city shall not be subject to the terms and provisions of said act, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Johnson of Morris:

H. B. No. 61, A bill to be entitled "An Act providing for the employment of county supervisors of rural schools; exempting counties making provisions for the employment of supervisors from the provisions of the institute law; making provision for the payment of the salaries and expenses of supervisors; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

BILLS ORDERED PRINTED IN MIMEOGRAPH FORM.

On motion of Mr. Johnson of Morris, House bill No. 50 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Ratliff, House bill No. 52 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Warwick, Senate bill No. 12 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Caven, House bill No. 49 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. McGregor, House bill No. 53 was ordered printed in mimeograph form and not otherwise printed.

BILL ORDERED NOT PRINTED.

On motion of Mr. Metcalfe, House bill No. 46 was ordered not printed.

BILL ORDERED PRINTED.

Mr. DeWolfe moved that House bill No. 39, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—78.

Adams of Jasper.	Anderson.
Adamson.	Baker.
Akin.	Barron.
Alsup.	Bedford.

Bond.	Laird.
Bounds.	Lee.
Boyd.	Lemens.
Brice.	Lockhart.
Brooks.	McCombs.
Bryant.	Magee.
Burns of Walker.	Metcalfe.
Burns of McCulloch.	Moffett.
Coltrin.	Murphy.
Cox of Lamar.	Olsen.
Cox of Limestone.	Ramsey.
Cunningham.	Ratliff.
Daniel.	Ray.
DeWolfe.	Richardson.
Dodd.	Satterwhite.
Dowell.	Shelton.
Englehard.	Sherrill.
Farmer.	Smith of Bastrop.
Fisher.	Smith of Wood.
Forbes.	Sparkman.
Ford.	Stephens.
Fuchs.	Steward.
Graves.	Strong.
Greathouse.	Sullivant.
Hanson.	Terrell
Herzik.	of Cherokee.
Hines.	Towery.
Holland.	Van Zandt.
Holloway.	Vaughan.
Hughes.	Veatch.
Johnson of Dimmit.	Weinert.
Johnson of Morris.	West of Coryell.
Jones of Shelby.	Westbrook.
Jones of Atascosa.	Wiggs.
Kennedy.	Wyatt.
	Young.

Nays—28.

Adams of Harris.	Hoskins.
Adkins.	Jackson.
Albritton.	Justiss.
Beck.	McGill.
Carpenter.	Martin.
Dale.	Morse.
Elliott.	Munson.
Gilbert.	Nicholson.
Giles.	O'Quinn.
Grogan.	Patterson.
Hardy.	Petsch.
Harman.	Wagstaff.
Hill.	Walker.
Holder.	West of Cameron.

Present—Not Voting.

Kayton.

Absent.

Caven.	Ferguson.
Claunch.	Finn.
Davis.	Goodman.
Donnell.	Hatchitt.
Dunlap.	Harrison
Duvall.	of El Paso.
Dwyer.	Harrison
Farrar.	of Waller.

Hefley.	Pope.
Howsley.	Reader.
Hubbard.	Rogers.
Johnson	Rountree.
of Dallam.	Sanders.
Keller.	Savage.
Lasseter.	Scott.
Leonard.	Stevenson.
Lilley.	Tarwater.
Long.	Terrell
McDougald.	of Val Verde.
McGregor.	Turner.
Mathis.	Warwick.
Mehl.	

Absent—Excused.

Bradley.	Moore.
Coombes.	

IN COMMITTEE OF THE WHOLE HOUSE.

(Mr. Minor in the chair.)

On motion of Mr. Morse, the House, at 9:40 o'clock a. m., resolved itself into a Committee of the Whole House for the purpose of considering bills relative to oil and gas conservation.

IN THE HOUSE.

(Mr. Minor in the chair.)

At 12 o'clock m., Mr. Minor, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress, and ask leave of the House to sit again at 2 o'clock p. m. today.

The following proceedings of the Committee of the Whole House were reported:

The Committee of the Whole House resumed consideration of House bill No. 26.

The Committee having had House bill No. 26 under consideration on yesterday with amendment by Mr. Wagstaff and amendment by Mr. Jones of Atascosa to the amendment, pending.

(Pending consideration of the amendment, Mr. McGill and Mr. Greathouse occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Morse moved the previous question on the pending amendment by Mr. Jones of Atascosa, and the main question was ordered.

Question recurring on the amendment by Mr. Jones of Atascosa, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—79.

Adams of Jasper.	Herzik.
Adamson.	Holloway.
Adkins.	Hoskins.
Akin.	Jackson.
Albritton.	Johnson
Alsup.	of Dallam.
Anderson.	Johnson of Morris.
Baker.	Jones of Atascosa.
Barron.	Justiss.
Bedford.	Kayton.
Bond.	Kennedy.
Boyd.	Laird.
Brice.	Lasseter.
Brooks.	Lemens.
Bryant.	Lockhart.
Burns of Walker.	Long.
Burns	McGill.
of McCulloch.	McGregor.
Cox of Limestone.	Magee.
Dale.	Mehl.
DeWolfe.	Olsen.
Dodd.	Ramsey.
Donnell.	Ratliff.
Duvall.	Ray.
Elliott.	Rogers.
Farmer.	Satterwhite.
Farrar.	Scott.
Ferguson.	Sherrill.
Finn.	Smith of Wood.
Fuchs.	Sparkman.
Gilbert.	Stephens.
Giles.	Tarwater.
Goodman.	Terrell
Graves.	of Cherokee.
Greathouse.	Terrell
Hanson.	of Val Verde.
Hardy.	Towery.
Harman.	Veatch.
Harrison	West of Cameron.
of El Paso.	Wiggs.
Harrison	Wyatt.
of Waller.	Young.
Hefley.	

Nays—53.

Adams of Harris.	Johnson
Beck.	of Dimmit.
Bounds.	Jones of Shelby.
Caven.	Lee.
Claunch.	Lilley.
Coltrin.	McCombs.
Cox of Lamar.	McDougald.
Daniel.	Martin.
Dowell.	Metcalfe.
Dwyer.	Moffett.
Forbes.	Morse.
Ford.	Munson.
Grogan.	Murphy.
Hatchitt.	Nicholson.
Hill.	O'Quinn.
Holder.	Patterson.
Holland.	Petsch.
Howsley.	Reader.
Hubbard.	Richardson.
Hughes.	Rountree.

Sanders.	Van Zandt.
Savage.	Wagstaff.
Shelton.	Walker.
Smith of Bastrop.	Warwick.
Steward.	Weinert.
Strong.	West of Coryell.
Turner.	Westbrook.

Present—Not Voting.

Carpenter.	Vaughan.
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Absent.

Cunningham.	Keller.
Davis.	Leonard.
Dunlap.	Mathis.
Englehard.	Pope.
Fisher.	Stevenson.
Hines.	Sullivant.

Absent—Excused.

Bradley.	Moore.
Coombes.	

Reason for Vote.

I voted against striking out the enacting clause of House bill No. 26 in the hope that it might be kept alive and amended so the House would accept it. I am opposed to the creation of a new conservation commission unless it be the result of consolidating some of our existing commissions.

CLAUNCH.

Paired.

Mr. Vaughan (present), who would vote "yea," with Mr. Mathis (absent), who would vote "nay."

Mr. Carpenter (present), who would vote "nay," with Mr. Sullivant (absent), who would vote "yea."

Mr. Veatch moved that House bill No. 26 be reported back to the House with recommendation that it do not pass.

The motion prevailed by the following vote:

Yeas—88.

Adams of Jasper.	Burns
Adamson.	of McCulloch.
Adkins.	Coltrin.
Akin.	Cox of Lamar.
Albritton.	Cox of Limestone.
Alsup.	Dale.
Anderson.	DeWolfe.
Baker.	Dodd.
Barron.	Donnell.
Bedford.	Dunlap.
Bond.	Duvall.
Boyd.	Elliott.
Brice.	Engelhard.
Brooks.	Farmer.
Bryant.	Farrar.
Burns of Walker.	Ferguson.

Finn.	McGill.
Fuchs.	McGregor.
Gilbert.	Magee.
Giles.	Mehl.
Goodman.	Metcalfe.
Graves.	Moffett.
Greathouse.	Olsen.
Hanson.	Patterson.
Hardy.	Petsch.
Harman.	Ramsey.
Harrison	Ratliff.
of El Paso.	Ray.
Harrison	Richardson.
of Waller.	Rogers.
Hefley.	Satterwhite.
Herzik.	Sherrill.
Holloway.	Smith of Wood.
Hoskins.	Sparkman.
Jackson.	Stephens.
Johnson	Tarwater.
of Dallam.	Terrell
Johnson of Morris.	of Cherokee.
Jones of Atascosa.	Towery.
Justiss.	Veatch.
Kayton.	Walker.
Kennedy.	Weinert.
Laird.	West of Cameron.
Lasseter.	Wiggs.
Lemens.	Wyatt.
Leonard.	Young.
Lockhart.	

Nays—38.

Adams of Harris.	McDougald.
Bounds.	Martin.
Claunch.	Morse.
Daniel.	Munson.
Dowell.	Murphy.
Dwyer.	Nicholson.
Forbes.	O'Quinn.
Ford.	Reader.
Grogan.	Rountree.
Hatchitt.	Sanders.
Holder.	Shelton.
Holland.	Smith of Bastrop.
Howsley.	Steward.
Hubbard.	Strong.
Hughes.	Turner.
Johnson	Wagstaff.
of Dimmit.	Warwick.
Jones of Shelby.	West of Coryell.
Lilley.	Westbrook.
McCombs.	

Absent.

Beck.	Long.
Carpenter.	Mathis.
Caven.	Pope.
Cunningham.	Savage.
Davis.	Scott.
Fisher.	Stevenson.
Hill.	Sullivant.
Hines.	Terrell
Keller.	of Val Verde.
Lee.	Van Zandt.

Absent—Excused.

Bradley. Moore.
Coombes.

Present—Not Voting.

Vaughan.

Paired.

Mr. Vaughan (present), who would vote "yea," with Mr. Mathis (absent), who would vote "nay."

At 12 o'clock m., Mr. Hardy moved that the Committee rise, report progress, and ask leave of the House to sit again at 2 o'clock p. m. today.

The motion prevailed.

(Signed) FRED H. MINOR,
Chairman of the Committee of the
Whole House.

**BILL ORDERED PRINTED IN
MIMEOGRAPH FORM.**

On motion of Mr. DeWolfe, House bill No. 39 was ordered printed in mimeograph form and not otherwise printed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, August 7, 1931.

Hon. Fred H. Minor, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 10, Relating to the recognition of ability and integrity of Hon. Leonard Tillotson.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS.

On motion of Mr. Morse, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

**IN COMMITTEE OF THE WHOLE
HOUSE.**

(Mr. Minor in the chair.)

On motion of Mr. Long, the House, at 2 o'clock p. m., resolved itself into a Committee of the Whole House for the purpose of considering bills relative to oil and gas conservation.

IN THE HOUSE.

(Mr. Minor in the chair.)

At 5:40 o'clock p. m., Mr. Minor, Chairman of the Committee of the Whole House, reported to the House that the Committee desired to rise, report progress and ask leave of the House to sit again at 9:30 o'clock a. m. tomorrow.

The following proceedings of the Committee of the Whole House were reported:

The Chairman of the Committee of the Whole House laid before the Committee, for consideration by the Committee:

H. B. No. 24, A bill to be entitled "An Act to combine the duties of the Oil and Gas Division of the Railroad Commission of Texas, the State Board of Water Engineers, the Game, Fish and Oyster Commission of Texas, and the State Reclamation Department, and to consolidate said Division, Board and Commission into one commission, to be known as the State Conservation Commission of Texas, composed of three members, one of which is to be elected every two years by the qualified voters to serve a term of six years; the salary of each Commissioner shall be six thousand dollars (\$6000) per year; transferring from the Railroad Commission of Texas, the State Board of Water Engineers, the Game, Fish and Oyster Commission of Texas and the State Reclamation Department of Texas to the Conservation Commission of Texas all jurisdiction, powers, rights and authority heretofore conferred and all duties heretofore imposed upon each of the Commissions, Divisions and Boards herein mentioned under any law heretofore enacted relating to any of the duties of said Boards or Commissions."

The subcommittee having recommended that the bill be laid on the table subject to call.

On motion of Mr. Barron, the bill was reported back to the House with recommendation that it do not pass.

The Chairman of the Committee of the Whole House laid before the Committee, for consideration at this time, the following report:

Austin, Texas, July 31, 1931.

Hon. Fred H. Minor, Chairman of
the Committee of the Whole House.

Dear Sir: We, your committee ap-

pointed to consider and report on the powers and procedure features of oil and gas conservation under the Satterwhite motion, made and adopted July 30th, 1931, beg leave to file this supplemental report advising that we have carefully considered the following bills and report as follows:

We recommend:

1. That House bills Nos. 2, 6, 7, 9 and 14, respectively, be laid on the table subject to call and consideration by the Committee of the Whole House.

2. That House bill No. 16 be reported favorably by the Committee of the Whole House, with recommendation that it do pass, after striking out Section 7 thereof, or redrafting the same.

3. That House bill No. 22 be reported favorably by the Committee of the Whole House, with recommendation that it do pass.

Respectfully submitted,

GRAVES,
HARDY,
KELLER,
McGREGOR,
JOHNSON of Dimmit.

The Chairman then laid House bill No. 16 before the Committee for consideration.

Mr. Jones of Atascosa moved that House bill No. 16 be reported back to the House, with recommendation that it do pass.

Mr. Walker moved that House bill No. 16 be reported back to the House, with recommendation that it do not pass.

Mr. Kennedy moved the previous question on the pending motions, and the main question was ordered.

Question first recurring on the motion by Mr. Walker, it was lost.

Question next recurring on the motion by Mr. Jones of Atascosa, it prevailed.

The Chairman then laid before the Committee of the Whole House, for consideration at this time,

H. B. No. 35, A bill to be entitled "An Act to provide for the conservation and orderly development of crude oil and natural gas in the State of Texas; to prevent the unreasonable waste thereof, and authorize agreements by and between two or more lessors, lessees, operators, persons, firms and corporations owning or controlling interests in properties of the same producing or prospective oil or

gas fields in the interest of the protection, conservation and development of the crude oil and natural gas resources of the State of Texas, and declaring an emergency."

Mr. Harrison of El Paso offered the following amendment to the bill:

Amend House bill No. 35 by inserting at the end of Section 1 thereof the following:

"Provided, however, if a complaint is filed with the Railroad Commission, signed by two reputable citizens, stating on their oath in substance that the operation or operations under any agreement herein authorized is or are dangerous to the public interest, and if the Railroad Commission, after notice and hearing, as is now provided by law in other cases, finds that such operation or operations is or are in fact dangerous to the public interest, a copy of such finding, duly certified by the proper official to be a true and correct copy of the original, shall be transmitted by the Railroad Commission to the Attorney General and, upon receipt thereof, it shall be the duty of the Attorney General to file suit against the parties to such agreement in any district court in any county in which the operation or operations is or are conducted, either in whole or in part, for the cancellation of such contract, and if the court or jury finds that such operation or operations is or are dangerous to the public interest, such contract shall be cancelled and further proceedings thereunder shall be forthwith enjoined."

(Mr. Keller in the chair.)

Question recurring on the amendment by Mr. Harrison of El Paso, it was adopted.

Mr. Burns of Walker offered the following amendment to the bill:

Amend House bill No. 35 by inserting at the end of Section 1 thereof the following:

"Provided, however, nothing herein contained shall be construed to limit, restrict, suspend or void any provision or subdivision of any of the anti-trust laws of the State of Texas, or in any manner create any exception or limitation thereof to the oil industry or otherwise."

BURNS of Walker,
BARRON.

Mr. Long offered the following substitute for the amendment by Mr. Burns of Walker:

Amend House bill No. 35 by adding at the end of Section 1 the following:

"Provided, however, all such agreements and contracts provided herein shall have the approval of the Attorney General of Texas before the Railroad Commission can approve the same."

The substitute amendment was adopted.

Mr. Greathouse moved to reconsider the vote by which the substitute amendment was adopted.

Question recurring on the motion to reconsider, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—57.

Adamson.	Hanson.
Adkins.	Hardy.
Akin.	Harman.
Albritton.	Harrison
Alsup.	of Waller.
Anderson.	Hines.
Baker.	Holland.
Barron.	Hoskins.
Bedford.	Johnson
Bond.	of Dallam.
Boyd.	Kennedy.
Brice.	Laird.
Brooks.	Lockhart.
Burns of Walker.	McGill.
Carpenter.	Moffett.
Caven.	Rogers.
Coltrin.	Rountree.
Cunningham.	Sherrill.
Daniel.	Smith of Wood.
Dodd.	Sparkman.
Donnell.	Stephens.
Dowell.	Terrell
Dunlap.	of Cherokee.
Duvall.	Towery.
Elliott.	Turner.
Farmer.	Vaughan.
Farrar.	Veatch.
Gilbert.	West of Cameron.
Goodman.	Wiggs.
Greathouse.	Young.

Nays—43.

Adams of Jasper.	Holloway.
Bounds.	Howsley.
Claunch.	Hughes.
Cox of Limestone.	Jackson.
DeWolfe.	Johnson
Dwyer.	of Dimmit.
Forbes.	Johnson of Morris.
Ford.	Jones of Atascosa.
Harrison	Jones of Shelby.
of El Paso.	Lasseter.
Hefley.	Lemens.
Herzik.	McCombs.

Magee.
McGregor.
Morse.
Munson.
Nicholson.
O'Quinn.
Petsch.
Ratliff.
Ray.
Reader.
Richardson.

Sanders.
Savage.
Smith of Bastrop.
Steward.
Strong.
Wagstaff.
Walker.
Warwick.
Weinert.
West of Coryell.

Absent.

Mr. Speaker.	Lee.
Adams of Harris.	Leonard.
Beck.	Lilley.
Bradley.	Long.
Bryant.	McDougald.
Burns	Martin.
of McCulloch.	Mathis.
Coombes.	Mehl.
Cox of Lamar.	Metcalfe.
Davis.	Murphy.
Engelhard.	Olsen.
Ferguson.	Patterson.
Finn.	Pope.
Fisher.	Ramsey.
Fuchs.	Satterwhite.
Giles.	Scott.
Graves.	Shelton.
Grogan.	Stevenson.
Hatchitt.	Sullivant.
Hill.	Tarwater.
Holder.	Terrell
Hubbard.	of Val Verde.
Justiss.	Van Zandt.
Kayton.	Westbrook.
Keller.	Wyatt.

Absent—Excused.

Dale. Moore.

At 5:40 o'clock p. m., Mr. Long moved that the Committee rise, report progress, and ask leave of the House to sit again at 9:30 o'clock a. m. tomorrow.

The motion prevailed.

(Signed) FRED H. MINOR,
Chairman of the Committee of the
Whole House.

(Speaker in the chair.)

RESOLUTION SIGNED BY THE
SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 10, Extending thanks to the Hon. Leonard Tillotson.

MESSAGES FROM THE
GOVERNOR.

Mr. Pat Dougherty, Secretary to the Governor, appeared at the bar of the

House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,
Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

Under the provisions of the Constitution and laws of the United States and of the State of Texas relating to apportionment of the State's congressional representation, Texas is now entitled to an increase in the number of Representatives in the Congress, according to the last enumerated census.

I, therefore, hereby submit for your consideration and attention the subject of redistricting the State of Texas as to its congressional representative districts.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

I hereby submit for your consideration the following subjects:

1. The enactment of a measure to provide for the employment of a supervisor or supervisors in all counties in this State whenever deemed advisable by the county board of school trustees, specifying the classification and duties of such supervisors and providing for a manner and mode of payment thereof.

2. The enactment of a measure amending Section 1 of Chapter 354, page 844, Acts of the Regular Session of the Forty-second Legislature, relating to the creation of the office of criminal district attorney in certain counties so as to make said act applicable to counties having a population of not less than thirty-two thousand (32,000) and not more than seventy-five thousand (75,000) inhabitants, according to the last preceding Federal census.

3. The enactment of a law amending Section 1 of Chapter 129 of the General Laws of the State of Texas, enacted by the Regular Session of the Forty-first Legislature, so as to provide that the Centennial Committee therein created shall be composed of

twenty-one (21) members instead of nine (9) members, and providing for their appointment.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
Austin, Texas, August 7, 1931.

To the Forty-second Legislature:

I have been requested to submit as an emergency measure the attached measure, which proposes to validate the incorporation of cities and towns in Texas. I am informed that by inadvertence, oversight or mistake, the incorporation of certain cities and towns in Texas heretofore attempted to be incorporated are possibly invalid and that an emergency exists for the passage of the bill validating these incorporations.

I, therefore, hereby submit to you as an emergency measure the attached proposed bill and the subject therein contained for your consideration.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

It has been called to my attention that in the bill fixing the terms of court in the Thirty-second Judicial District of Texas, passed by the Regular Session of the Forty-second Legislature, there was an error made in designating the terms of court to be held in Mitchell county and that confusion now exists because of this error.

I have been requested to submit the hereto attached bill, which seeks to correct the existing situation and I, therefore, hereby submit the attached proposed bill and the subject therein contained as an emergency measure for your consideration.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
Austin, Texas, August 7, 1931.

To the Forty-second Legislature:

It has been called to my attention that the present law providing for the Board of Optometry Examiners is possibly unconstitutional because of the fact that the present law calls for only five members. The attached

bill seeks to increase the membership of this Board to six members in order to meet the constitutional question which has been raised.

I, therefore, hereby submit the attached proposed measure and the subject therein contained as an emergency measure for your consideration.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
Austin, Texas, August 7, 1931.

To the Forty-second Legislature:

I hand you herewith a proposed bill amending House bill No. 312, passed by the Regular Session of the Forty-second Legislature, which deals with the issuance of warrants of cities and towns.

I understand that great confusion exists with reference to the right of cities to issue warrants payable out of the current funds. This bill seeks to correct the existing situation and I hereby submit the attached proposed bill and the subject therein contained as an emergency matter for your consideration.

Respectfully submitted,
R. S. STERLING,
Governor.

Executive Office,
Austin, Texas, August 7, 1931.

To the Members of the Forty-second Legislature:

I hereby submit for your consideration the following subjects, to-wit:

1. Legislation validating issues of funding or refunding notes, bonds, warrants, time warrants and treasury warrants heretofore issued or authorized to be issued by any counties, cities or towns in Texas.

2. Legislation authorizing the assignment and transfer of any tax liens levied by the State of Texas and/or any county, municipality, school district or any other political subdivision of the State, and providing for the issuance of tax certificates evidencing the transferred tax obligation; providing means for the collection of such tax certificates, the rate of interest for such obligations, the time of payment, the time for filing and filing fees.

Respectfully submitted,
R. S. STERLING,
Governor.

BILLS ORDERED PRINTED IN MIMEOGRAPH FORM.

On motion of Mr. McDougald, House bill No. 51 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Metcalfe, House bill No. 45 was ordered printed in mimeograph form and not otherwise printed.

On motion of Mr. Farrar, House bill No. 29 was ordered printed in mimeograph form and not otherwise printed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, August 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 19, A bill to be entitled "An Act to amend Chapter 36 of the Fifth Called Session of the Forty-first Legislature, and particularly Section 11 thereof, and by adding Section 11a and Section 11b thereto, enlarging the powers and duties of the Railroad Commission of Texas with reference to conservation, transportation, storage and purchase of petroleum and its products in this State; designating as public utilities the owners, operators and managers of oil storage tanks and storage facilities for the public hire; forbidding discrimination by such public utilities; providing for a bond to be filed by such public utilities; giving to the Railroad Commission of Texas jurisdiction over rates, rules and regulations governing the storage of crude petroleum and its products by such public utilities, the character of facilities to be furnished, the forms of receipts to be issued, and the inspection, grading, measurement, deductions for waste, deterioration and delivery by such utilities; giving such utilities a lien for charges; providing for the filing and posting of monthly statements by such public utilities, and by common carriers by pipe line; vesting in the Railroad Commission of Texas jurisdiction to authorize and require common carriers by pipe line and public utilities, as defined by this act, to extend and enlarge their respective facilities under certain con-

ditions, etc., and declaring an emergency," with amendments.

H. B. No. 4, A bill to be entitled "An Act making an appropriation of thirty thousand dollars (\$30,000) to be used by the Attorney General for the purpose of paying expenses of investigating and prosecuting violations of conservation and anti-trust laws of this State, and declaring an emergency."

The Senate refused to engross

S. B. No. 16, A bill to be entitled "An Act creating the Conservation Commission of Texas."

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS.

On motion of Mr. Boyd, the House, at 6 o'clock p. m., took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Committee of the Whole House: House bill No. 16.

Game and Fisheries: Senate bill No. 12.

Judiciary: House bill No. 52.

Conservation and Reclamation: House bills Nos. 29 and 51.

Judicial Districts: House bills Nos. 46, 53, and 49.

Education: House bill No. 50.

Counties: House bill No. 45.

The Committee of the Whole House filed an adverse report on House bills Nos. 26 and 24.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, August 7, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 10, Expressing appreciation to Hon. Leonard Tillotson,

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

THIRTEENTH DAY.

(Continued.)

(Saturday, August 8, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

BILL ORDERED PRINTED IN MIMEOGRAPH FORM.

On motion of Mr. Metcalfe, the committee amendment to House bill No. 55 was ordered printed in mimeograph form in lieu of the original bill.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Forbes, Mr. Holder, Mr. Graves, Mr. Sherrill, Mr. Coltrin, Mrs. Strong, Mr. Vaughan, Mr. Harman, Mr. Sanders, Mr. Stephens, Mr. Duvall, Mrs. Rountree, Mr. Lee, Mr. Wiggs, Mr. Shelton, Mr. Johnson of Dimmit, and Mr. Howsley:

H. B. No. 62, A bill to be entitled "An Act to amend Article 3109 of the Revised Civil Statutes of 1925, relating to ballot at primaries; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Dwyer, Mr. Reader, and Mr. Mehl:

H. B. No. 63, A bill to be entitled "An Act validating all issues of funding and refunding notes, bonds, warrants, time warrants, and treasury warrants heretofore issued or authorized to be issued and attempted to be issued by any and all cities in the State whether incorporated under General or Special Laws, and all cities operating under charters adopted under the provisions of Article 11, Section 5, of the Constitution of Texas, having a population in excess of one hundred and seventy-five thousand according to the last preceding United States census, issued and attempted to be issued under authority of House bill No. 312, of the Forty-second Legislature; and validating all orders of the governing bodies of such cities